

REMARKS

Claims 33-54 are pending. Claims 33 and 45 have been amended. Claim 46 has been canceled. The amendments are supported in the Specification as filed at least on page 20, line 26 – page 21, line 16. Applicant requests reconsideration and reexamination of the pending claims.

Antal et al.

Claims 33-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Antal et al. (U.S. Patent No. 4,861,302 hereinafter "Antal").

The Examiner has not provided any details of the rejection of Claims 34, 36, and 46 in view of Antal alone and Applicant responds with the assumption that Claims 34, 36, and 46 are only rejected as being unpatentable over Antal in view of Tsunekawa.

Applicant discloses that in one embodiment of the present invention, it is "not necessary to use a vacuum pump" for simultaneous exchange of gases. Valves may be opened and closed to flow new and old gases into and out of the light source tube. (Specification as filed, page 20, lines 30-31).

In contrast, Antal discloses that "the flushing gas or filling gas is . . . supplied via one of the exhaust tubes into the discharge vessel which is connected to the pump and simultaneously it is pumped via the other exhaust tube." (Antal, col.2, lines 43-51). Antal further discloses that the "flushing gas or fill gas is supplied and pumped out." (Antal, col.4, lines 24-26). Thus, Antal discloses that a gas is pumped in and out of the discharge vessel.

Applicant has reviewed the Antal reference and could find no teaching or suggestion therein, which anticipates or renders the currently pending claims anticipated or obvious. For example, Antal does not teach or suggest "flowing a first gas from between said first and second electrodes out of the light source through the outlet valve without a pump, and simultaneously flowing a second gas through the inlet valve into between said first and second electrodes without a pump, said first gas being different from said second gas" as set forth in Claim 33.

Antal et al. in view of Tsunekawa et al.

Claims 34, 36, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Antal in view of Tsunekawa et al. (U.S. Patent No. 4,303,290 hereinafter "Tsunekawa").

LAW OFFICES OF  
MACPHERSON, KWOK CHEN  
& HEID LLP

2403 MICHELSON DRIVE  
SUITE 310  
IRVINE, CA 92612  
(949) 752-7040  
FAX (949) 752-7049

As noted by the Examiner, Antal does not disclose that the first gas is selected from the group consisting of: inert gases, krypton, argon, neon, xenon, helium, mercury, neon/helium mixture, neon/argon mixture, oxygen, hydrogen, deuterium, and nitrogen. (Office Action, page 10).

The Examiner goes on to state that "Tsunekawa teaches the uses of inert gases of krypton, argon, and neon for the purpose of evacuating a light source" and that it would have been obvious to "utilize the old and well known gases of Tsunekawa for the first gas of Antal." (Office Action, page 11). However, Tsunekawa does not disclose or suggest the use of mercury, oxygen, hydrogen, deuterium, nitrogen, or combinations thereof.

Accordingly, Antal in view of Tsunekawa does not disclose or suggest "pumping a first gas initially located within the light source out of the light source while pumping a second gas into the light source, said second gas being different from said first gas, wherein one of said first and second gases is selected from the group consisting of mercury, oxygen, hydrogen, deuterium, and nitrogen," as recited in Claim 45.

Claims 34-44 depend from Claim 33 and include additional limitations that distinguish them over Antal and Tsunekawa, alone or in combination. Therefore, Claims 33-44 are allowable for at least the same reasons provided above with respect to Claim 33.

Claims 47-54 depend from Claim 45 and include additional limitations that distinguish them over Antal and Tsunekawa, alone or in combination. Therefore, Claims 47-54 are allowable for at least the same reasons provided above with respect to Claim 45.

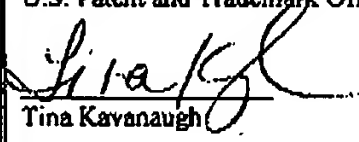
Accordingly, Applicant submits that Claims 33-45 and 47-54 are in condition for allowance.

LAW OFFICES OF  
MACPHERSON, KWOK, CHEN  
& REED LLP

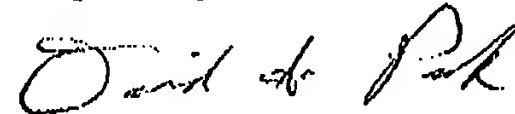
2402 MICHELSON DRIVE  
SUITE 210  
IRVING, CA 92612  
(949) 753-1040  
FAX (949) 752-7049

CONCLUSION

For the above reasons, pending Claims 33-45 and 47-54 are now in condition for allowance and allowance of the application is hereby solicited. If the Examiner has any questions or concerns, the Examiner is hereby requested to telephone Applicant's Attorney at (949) 752-7040.

Certification of Facsimile Transmission	
I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.	
 Tina Kavanaugh	December 6, 2004

Respectfully submitted,



David S. Park  
Attorney for Applicant(s)  
Reg. No. 52,094

LAW OFFICES OF  
MACPHERSON, KWOK CHEN  
& HEID LLP

2403 MICHELSON DRIVE  
SUITE 210  
IRVING, CA 92612  
(949) 752-7040  
FAX (949) 752-7049